

EXPLANATORY MEMORANDUM TO
THE TRAVELLING EXPENSES AND REMISSION OF CHARGES
(AMENDMENT NO.3) REGULATIONS (NORTHERN IRELAND) 2009

S.R. 2009 No. 329

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Health, Social Services and Public Safety to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 45, 98, 106 and 107(6) of, and paragraphs 1(b) and 1B of Schedule 15 to the Health and Personal Social Services (Northern Ireland) (Order) 1972 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. These Regulations amend the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004 ("the principal Regulations") to update a legislative reference.

3. Background

- 3.1. Under the principal Regulations people in various low income groups can claim full or partial entitlement to remission or exemption of Health Service charges and the payment of Health Service travelling expenses.
- 3.2. The Department of Health, Social Services and Public Safety has responsibility for the development of policy under these Regulations, with the Department of Social Development having responsibility for assessing a patient's entitlement to help with health costs under a scheme referred to as the Low Income Scheme.
- 3.3. These Regulations will simply update the reference to the publication which describes additional loans paid under the Education (Student Loans) (Scotland) Regulations 2007. These loans are disregarded in the calculation of a student's loan income when a person's entitlement to the payment of Health Service travel expenses and the remission of Health Service charges is being established under the principal Regulations.
- 3.4. These Regulations will not impact on current provisions for assessing Scottish student's claims but will simply update the wording in the principal Regulations to match Scottish education guidance and achieve the policy effect required by the Department.

4. Consultation

- 4.1. No consultation has taken place as these Regulations do not alter existing policy i.e. it amends a reference to a guidance document.

5. Equality Impact

- 5.1. An assessment was not considered necessary as these Regulations do not alter existing policy i.e. it amends a reference to a guidance document.

6. Regulatory Impact

- 6.1. An assessment was not considered necessary as these Regulations do not alter existing policy i.e. it amends a reference to a guidance document.

7. Financial Implications

- 7.1. No additional financial implications.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. Considered compliant with Section 24 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. Not applicable

10. Parity or Replicatory Measure

- 10.1. Required to maintain parity with England who have made equivalent legislation. By implementing these changes we will ensure that amendments to the principal regulations continue to remain unified and that the population of Northern Ireland is not disadvantaged with regard to assistance with health costs under the Low Income Scheme.

11. Additional Information

- 11.1. Not applicable